



Applicant: Kelly, Frederick, J.

Date: May 11, 2004

Serial #: <u>10/643,337</u>

Filing Date: 08/19/2003

Art Unit: <u>3643</u>

Title: Plant Support Device

Examiner: Valenti, A

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## **AMENDMENT**

This paper is in response to the Office Action dated February 18, 2004.

## IN THE CLAIMS

Cancel Claims 1-14 in their entirety.

Add the following new Claims 15-23 as follows:

A plant support device for aiding in supporting climbing plants, said device 15. comprising:

at least three uprights, each of said uprights having a profile, each of said uprights having two ends, one of said ends being a bent end having multiple bends to form a substantially horizontal portion and a vertical portion; each of said uprights having a length and a plurality of holes along said length, said holes being arranged in a line along said length and spaced a predetermined distance apart;

1 2004			PTO/SB/21 (03-03) Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE			
EMARY SAGET THE PE	aberwork Reduction Act of 1335.	Application Number	10/643,337
TRANSMITTAL		Filing Date	08/19/2003
FORM		First Named Inventor	Kelly, Frederick, J.
(to be used for all correspondence after initial filing)		Art Unit	
		Examiner Name	3643
		Attorney Docket Number	Valenti,A
Total Number of Pages in This Submission 8		8 Attorney Docket Number	N/A
ENCLOSURES (Check all that apply)			
X Amendm A A Extension Express Informatio Certified Documer Response	ree Attached ree Attached rent/Reply refer Final refidavits/declaration(s) refer of Time Request Abandonment Request on Disclosure Statement Copy of Priority refer of Missing Parts/ refer Application	Drawing(s)  Licensing-related Papers  Petition  Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Addres  Terminal Disclaimer  Request for Refund  CD, Number of CD(s)	After Allowance Communication to Group  Appeal Communication to Board of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  Proprietary Information  Status Letter Other Enclosure(s) (please Identify below):
	tesponse to Missing Parts nder 37 CFR 1.52 or 1.53		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual Signature  Frank A. LaViola, Jr. Reg.#38,730			
Date 05/11/2004			
CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:  05/11/2004			
Typed or printed Frank A. LaViola, Jr., Reg. #38,730			
Signature 750		10 Lollado.	Date 05/11/2004
This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to			

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

PTO/SB92 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

ADENSE: the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

## Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents

P.O. Box 1450 Alexandria, WA 22313-1450

on\_\_\_\_05/11/2004

Date
Signature

Frank A. LaViôla, Jr. Reg.#38,730

Typed or printed name of person of signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Amendment in response to Non-FinalkOffice Action dated 2/18/2004 Entire Amendment filed herewith.